

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

Ernest C. Young

Case No.: 17-23830

Judge: JNP

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (**choose one**):

1. ☒ Motion for Relief from the Automatic Stay filed by Ally Financial,
creditor,

A hearing has been scheduled for 09/11/2018, at 10:00 am.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____.

- ☐ Certification of Default filed by _____,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$ _____, but have not
been accounted for. Documentation in support is attached.

☒ Payments have not been made for the following reasons and debtor proposes

repayment as follows (**explain your answer**):

I may have fallen behind due to my separation from my wife. I cannot determine if the amount claimed due in Ally Financial's certification is accurate or if Ally Financial has accounted for all of my payments as Ally Financial failed to file the required Certification regarding post-petition payment history for vehicle loans.

☒ Other (**explain your answer**):

My last payment was July 11, 2018. I will make a payment on Friday, August 24, 2018. I can continue regular payments. If Ally Financial is able to substantiate the number in its motion I propose to roll the post-petition arrears into my Chapter 13 plan and extend the plan if necessary. Ally Financial also failed to provide proper notice sending the motion to David Cuneo.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 08/22/2018

/s/Ernest C. Young
Debtor's Signature

Date: _____

Debtor's Signature

NOTES:

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.